

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR THURSDAY, MARCH 11, 2021

1:00 P.M. SESSION

GA E CL A RE

BENCH POSITION: AARONS, J., EGAN JR., J., GARRY, P.J., CLARK, J., REYNOLDS FITZGERALD, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	529554	CASCADE BUILDERS CORP. v RUGAR <i>Appellant/Respondent</i> - Erin Mead, Esq. Thorn Gershon Tymann & Bonnani (Cascade Builders Corp.) <i>Appellant</i> - Andrew J. Mihalick, Esq. Farber Brocks & Zane LLP (Utica First Ins. Co.) <i>Appellant</i> - James L. Maswick, Esq. Flink Maswick Law PLLC (John Rugar Painting) <i>Respondent</i> - Danielle N. Meyers, Esq. O'Connor, O'Connor, Bresee & First PC (Benjamin Moore & Co.)	<u>REMOTE</u> 10 10 10 10
(2)	110160	PEOPLE v MESSIAH GREEN <i>Appellant</i> - Steven M. Sharp, Esq. Tina Sodhi, Albany County Alternate Public Defender (Messiah Green) <i>Respondent</i> - Michael C. Wetmore, Esq. P. David Soares, Albany County District Attorney	<u>REMOTE</u> 10 10
(4)	530227	MLB CONSTRUCTION SERVICES v NEW YORK STATE DORMITORY AUTH. <i>Appellant</i> - Michael L. Costello, Esq. Tobin and Dempf, LLP (MLB Construction Services) <i>Respondent</i> - Nathan R. Sabourin, Esq. Hinkley Allen & Snyder LLP (Dormitory Authority)	<u>REMOTE</u> 10 10

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Calendar No.	Case No.	Title	Time Allocated
➤(3)	531158	MATTER OF JAMES H. SUPPLEMENTAL NEEDS TRUST Appellant - Paul O'Brien, Esq. Falcon Rappaport & Berkman (John Scott) Respondent - Brian M. Quinn, Esq. Tabner, Ryan & Keniry, LLP (Kathleen Toombs)	<u>REMOTE</u> 10 10
(5)	531026	HOLSER v GEERHOLT Plaintiff - Linda A. Mandel Clemente, Esq. Mandel Clemente, P.C. (Daniel J. Holser) Defendant - Bridget M. Schultz, Esq. Maynard, O'Connor, Smith & Catalinotto, LLP (L&S Veneer, et al.) Appellant - Steven V. DeBraccio, Esq. Burke Scolamiero & Hurd, LLP (Gregory T. Miller, et al.) Appellant - Diane Lufkin Schilling, Esq. Napierski, Vandenburg, Napierski & O'Connor, L.L.P. (Todd Geerholt)	<u>REMOTE</u> 5 5 10 5
(6)	531599	MATTER OF DISABILITY RIGHTS NEW YORK v NEW YORK STATE COMMISSION OF CORRECTION Appellant - Teresa Caturano, Esq. Disability Rights New York (Disability Rights NY) Respondent - Jonathan D. Hitsous, Esq. AG Letitia James	<u>REMOTE</u> 10 10

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Calendar No.	Case No.	Title	Time Allocated
(7)	110067	PEOPLE v LANCE SESSOMS <i>Appellant</i> - James A. Bartosik Jr., Esq. Stephen W. Herrick, Albany County Public Defender (Lance Sessoms) <i>Respondent</i> - Christopher D. Horn, Esq. P. David Soares, Albany County District Attorney	<u>REMOTE</u> 10 5
(8)	531002	MATTER OF THE ESTATE OF BERNARD BRAUNSTEIN <i>Appellant</i> - John A. Collins, Esq. Lipsitz Green Scime Cambria (Edward L. Braunstein) <i>Respondent</i> - Thomas P. Smith, Esq. Harris Beach PLLC (Sue Ann Braustein)	<u>REMOTE</u> 10 10
(9)	529861	MATTER OF SHANNON NN. v TARRIN OO.	SUB
(10)	528113	MATTER OF RUDD v ROGERS	SUB
(11)	531881	MATTER OF SANCHEZ v JACOBI MED. CTR.	SUB
(12)	530842	PEOPLE v LEMUEL HOLTON (SORA)	SUB
(13)	529612	MATTER OF JEFFREY GAWRYS	SUB
(14)	530910	MATTER OF RIVERA v JOSEPH L. BALKAN, INC.	SUB
(15)	529642	MATTER OF KRISTL v ROME CITY SCHOOL DIST.	SUB

► 531158 - MATTER OF JAMES H. SUPPLEMENTAL NEEDS TRUST
Panel: GA CL A RE